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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/828,820 | 04/21/2004 | Werner Seifried | 298-239 |

CONFIRMATION NO. 7258

 28249
 DILWORTH & BARRESE, LLP
 333 EARLE OVINGTON BLVD.
 UNIONDALE, NY 11553

FORMALITIES LETTER



OC000000013082865

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

 Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
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*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
Attorney Docket: 298-239

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Seifried et al.

Serial No: 10/828,820

Filed: April 21, 2004

For: SYSTEM FOR THE TRANSPORTATION OF CONSTRUCTION
MACHINES, PREFERABLY EXCAVATORS

Dated: August 30, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

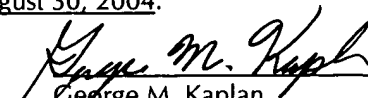
Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application, dated June 28, 2004, Applicants enclose herewith a properly executed original Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63. Also enclosed is a check for \$130.00 to cover the surcharge under 37 C.F.R. §1.16(e) along with a copy of the Notice to File Missing Parts of Non-Provisional Application.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 30, 2004.

Dated: August 30, 2004


George M. Kaplan

If the enclosed check is insufficient for any reason or becomes detached,
please charge the required fee under 37 C.F.R. §1.16(e) to Deposit Account No. 04-1121.

TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George M. Kaplan". The signature is fluid and cursive, with the first name "George" and last name "Kaplan" clearly distinguishable.

George M. Kaplan
Registration No. 28,375
Attorney for Applicants

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